

August 4, 2023

BY ECF

Hon. Sarah Netburn, United States Magistrate Judge
United States District Court for the Southern District of New York
40 Foley Square, Room 219
New York, New York 10007

Nike, Inc. v. StockX LLC, No. 22 CV 983 (VC) (SN)

Dear Judge Netburn:

We represent Defendant StockX LLC (“StockX”) in the above-captioned matter.

Pursuant to Your Honor’s Individual Rule III(F), StockX respectfully submits this letter regarding the sealed treatment of StockX’s response (the “Response”) to Nike, Inc.’s (“Nike,” and together with StockX, the “Parties”) Letter Motion to Compel (the “Motion”; ECF No. 178). StockX’s Response is being filed under seal and on the public docket in redacted form today.

The Response details why Nike should not be permitted to propound an untimely request for discovery, four months after fact discovery closed, after failing to act with diligence during the fact discovery period. In support of why StockX should not be compelled to respond to Nike’s untimely request for production, StockX’s Response references material that the Parties have designated confidential pursuant to the Parties’ July 14, 2022, Stipulated Protective Order (ECF No. 52). StockX is accordingly filing portions of its Response and corresponding exhibits under seal.

Respectfully submitted,

/s/ Megan K. Bannigan

Megan K. Bannigan

cc All counsel of record (via ECF)